IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12745 of 2004

Between:

1.Vakaa.Surana S/o.Late Sarraiah, R/o.K.Pentapadu Village, Pentapadu Mandal, W.G.Dist.
2.Vakaa.Sarveswara Rao, S/o.V.Surana, R/o.K.Pentapadu Village, Pentapadu Mandal, W.G.Dist.
3.Vakaa Satyanarayana, S/o.Vakka Surana, R/o.K.Pentapadu Village, Pentapadu Mandal, W.G.Dist.
4.Vakaa Gopala Krishna, S/o.Vakka Surana, R/o.K.Pentapadu Village, Pentapadu Mandal, W.G.Dist.
5.Vakaa Tuasi Naga Venkata Suryanarayan, S/o.Vakaa Surana, R/o.K.Pentapadu Village, Pentapadu Mandal, W.G.Dist.

..... PETITIONERS

AND

1 The Asst.Commissioner, Endowments Dept., Eluru, W.G.Dist.
2 The Regional Joint Commissioner, Multi Zone-1, Endowments Dept., Kakinada, E.G.Dist.
3 Fit person, Sri Byragi Matham, K.Pentapadu, Pentapadu Mandal, W.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, orders or directions and more particularly in the nature of writ of Mandamus declaring that the orders passes by the 1st respondent in R.C.No.A4/5304/2003-6 Adm. dated 15-07-2003 as confirmed by the 2nd respondent in appeal No.15/2004, dated 10-06-2004 are illegal, arbitrary and much against to the legal and fundamental rights guaranteed under the constitution of India and consequently; a) to set aside the orders passed by the 1st and 2nd respondents; b) to direct the 1st respondent to declare the petitioners as land less poor persons under section 82 of A.P.Charitable and Hindu Religions Endowments Act, 1987 (Act, 30 to 1987) and are entitled for the benefits conferred to the land less poor persons and in the event it was decided by the Government not to sell the agricultural lands in favour of the land less poor persons, the respondents are directed to continue the petitioners as

lessees by receiving the Maktha, as otherwise the petitioner shall be put to grave and inexplicable hardship and injury.

Counsel for the Petitioners: MR.PALIVELASATYARAJA BABU

Counsel for the Respondent Nos.1 and2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: Mrs.N.Indrani, SC for Endowments Temples

The Court made the following:

ORDER:

Sri Palivela Satyarajababu, the learned counsel for the petitioners, seeks permission to withdraw the writ petition with liberty to avail the appropriate remedy as available under law.

Accordingly granting liberty, the writ petition is dismissed as withdrawn. No costs.

09.08.2004

VGB

To

1 The Assistant Commissioner, Endowments Department, Eluru, West Godavari District.
2 The Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari Disrict.
3 Fit Person, Sri Byragi Matham, K. Pentapadu, Pentapadu Mandal, West Godavari District.

4 2CCs to the Govt. Pleader for Endowments, High Court Buildings, Hyderabad

(OUT)

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